

Summons in a Civil Action (Rev 11/97)

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

THE UNITED STATE OF AMERICA

vs

0.60 ACRES OF LAND, MORE OR
LESS, SITUATE IN SAN DIEGO
COUNTY, STATE OF CALIFORNIA;
and DIANA SANDERS; AND ALL
OTHER INTERESTED PARTIES,

SUMMONS IN A CIVIL ACTION

Case No.

'08 CV 286 BEN LSP

TO: (Name and Address of Defendant)

Diana Sanders
5071 Guava Avenue
La Mesa, CA 91941

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and
serve upon PLAINTIFF'S ATTORNEY

Tom Stahl, Assistant U.S. Attorney; Chief, Civil Division
Office of the U.S. Attorney
Federal Building
880 Front Street, Room 6293, San Diego, CA 92101

An answer to the complaint which is herewith served upon you, within 20 days after
service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment
by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr.

CLERK

J. H. HARRIS

By

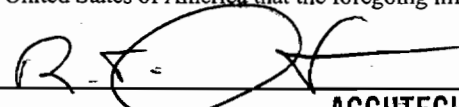
, Deputy Clerk

FEB 13 2008

DATE

Summons in a Civil Action

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RETURN OF SERVICE			
Service of the Summons and Complaint was made by me		DATE 2-17-2008	
NAME OF SERVER ROBERT HANSELL RPS #351		TITLE PROCESS SERVER	
Check one box below to indicate appropriate method of service			
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____			
<input checked="" type="checkbox"/> Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein: 5071 GUAVA AVE LA MESA, CA 91941 Name of person with whom the summons and complaint were left: <u>DANIEL HEINBURGH</u>			
<input type="checkbox"/> Return unexecuted:			
<input type="checkbox"/> Other (specify):			
STATEMENT OF SERVICE FEES			
TRAVEL		SERVICES	TOTAL \$0.00
DECLARATION OF SERVER			
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.			
Executed on: 2-21-2008		 Signature of Server	
Date		ACCUTECH LEGAL SUPPORT SRVS. P.O. BOX 12037 SAN DIEGO, CA 92112	
		Address of Server	
NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE			
IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. <u>COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.</u>			
YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.			
JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.			

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

ATTACHMENT TO PROOF OF SERVICE

DECLARATION OF DUE DILIGENCE
FOR SUBSTITUTED SERVICE

At the time of service I was at least eighteen years of age and not a party to this action. That after due diligent effort I have been unable to effect personal service on the party named on summons, and after effecting diligence as listed below, at address where served, substitute served at same address:


Dates and times attempted:

2-15-2008	7:15pm	not in
2-16-2008	12:15pm	not in
2-17-2008	9:50am	not in, substitute served

Reason for non-service:

I declare under penalty of perjury and the laws of the state of California that the foregoing is true and correct.

Date: 2-21-2008


Robert Hansell

DECLARATION OF MAILING
AFTER SUBSTITUTED SERVICE

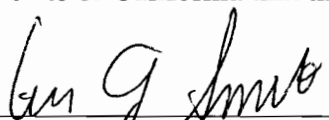
At the time of service I was at least eighteen years of age and not a party to this action. I declare that after substituted service was made, I mailed copies to the defendant named on summons, by first class mail, postage prepaid, to the address where served:

On date: 2-21-2008

from: San Diego, CA

I declare under penalty of perjury and the laws of the state of California that the foregoing is true and correct.

Date: 2-21-2008


Teri G. Smith

ATTACHMENT TO PROOF OF SERVICE

LIST OF DOCUMENTS SERVED:

- 1) Summons in a Civil Action (issued by District Court on February 13, 2008)
- 2) Complaint in Condemnation with Declaration of Taking 40 USC 3114 (filed with District Court on February 13, 2008)
- 3) Civil Case Cover Sheet (filed with District Court on February 13, 2008)
- 4) Declaration of Taking (filed with District Court on February 13, 2008)